

Inspection Narrative Prepared by Robin Holloway:

Facility Location:

**Discount Pet
1411 South Stockton Street
Lodi, CA 95240**

Introduction

On February 11, 2004, Brigit Fitting from the Environmental Protection Agency, San Francisco ("EPA"), and Robin Holloway, also from EPA, conducted a Marketplace Inspection at Discount Pet in Lodi, California (see Attachment 1 - Photograph Identification Number ("PIN") 1). The inspection was a for cause inspection based on inspections conducted by U.S. Customs and the Hawaii Department of Agriculture - Pesticide Branch staff. The information from those inspections indicated that Discount Pet was selling illegal foreign "Frontline" and "Advantage" pet flea and tick products distributed by Pang and Son Distribution, LLC ("Pang and Son"). The purpose of the inspection was to determine Discount Pet's compliance with FIFRA and to clarify if Discount Pet was distributing illegal pesticide(s).

Narrative

Upon entry into the facility, we introduced ourselves to James Habbestad, Manager of Discount Pet. After introductions, we presented our credentials. Brigit Fitting filled out a Notice of Inspection (NOI) while explaining the purpose of our visit to Mr. Habbestad. After Mr. Habbestad read the Notice of Inspection he signed it and we provided him with the original. We retained the carbon copies (see Attachment 2).

Discount Pet supplies a wide variety of pets and pet products to consumers. Mr. Habbestad showed us the Frontline and Advantage products offered for sale, which were stored behind the store's sales counter (see Attachment 1 - PIN 2). Mr. Habbestad stated that the store had run out of products ordered from Pang and Son in September 2003 and the product they were currently offering for sale was from another distributor, 8 Zone Whole Sale of Peoria, Arizona ("8 Zone"). According to Mr. Habbestad, 8 Zone offered both "foreign" and "domestic" products for sale, and Discount Pet had elected to purchase the "domestic" product.

We proceeded to examine the Frontline and Advantage products that were behind the counter (see Attachment 1 - PIN 3). When the outside packaging of the products were opened, we determined that some of the products were illegal, foreign product. Ms. Fitting described to Mr. Habbestad how we determined that the products were illegal. Mr. Habbestad removed all of the products to an office behind the counter,

and we proceeded to inspect all of the Frontline and Advantage products.

With the exception of missing lot numbers, the Frontline exterior packaging (cardboard boxes) appeared to be authentic. The boxes all carried EPA Reg. No. 65331-5, and EPA Est. No. 65331-FR-2. Upon opening the exterior packages, we discovered foreign labeled product in the packages. That is, the packaging of the applicators for the product were in both French and English, and displayed the volume of the product in fluid milliliters (ml). All of Discount Pet's Frontline product was foreign. The following amounts had been offered for sale:

- Frontline Plus for dogs 11-22 lbs (8 packages)
- Frontline Plus for dogs 23-44 lbs (6 packages)
- Frontline Plus for dogs 45 -88 lbs (2 packages)
- Frontline Plus for dogs 89-132 lbs (19 packages)

We then examined the Advantage products. There was a mix of both legal and illegal product. The illegal product lacked EPA Registration Numbers on the product tubes. The following illegal Advantage products had been offered for sale:

- Advantage for dogs 10 lbs and under (EPA Reg. No. 11556-117) (4 packages)
- Advantage for dogs 11-20 lbs (EPA Reg. No. 11556-119) (10 packages)
- Advantage for dogs 21- 55 lbs (EPA Reg. No. 11556-120) (10 packages)
- Advantage for dogs over 55 lbs (EPA Reg. No. 11556-122) (13 packages)
- Advantage for cats 9 lbs and under (EPA Reg. No. 11556-116) (19 packages)

We determined the following products were not unregistered foreign products and they were returned to the sales floor:

- Advantage for dogs 10 lbs and under (EPA Reg. No. 11556-117) (15 packages)
- Advantage for dogs 21- 55 lbs (EPA Reg. No. 11556-120) (10 packages)
- Advantage for cats 9 lbs and under (EPA Reg. No. 11556-116) (15 packages)
- Advantage for cats over 9 lbs (EPA Reg. No. 11556-118) (30 packages)

According to Mr. Habbestad, these apparently legal products were the most recent shipment Discount Pet had received from 8 Zone.

We collected one sample of each of the illegal products (see Attachment 1 - PIN 4). Mr. Habbestad declined payment for the samples. He removed the remaining illegal product from sale and indicated he would be returning all of it to 8 Zone.

Ms. Fitting asked Mr. Habbestad if he had copies of any of the invoices for

products received from Pang and Son. He did not. We asked if he had documentation of the sales of Frontline and Advantage products purchased from 8 Zone. He provided us three recent invoices (see Attachment 3 - DOCSN0211042226401BCF-1 through 3).

At this time, Mr. Habbestad indicated that all of the stores in the company had purchased this product. He also explained that Discount Pet was owned by Pet Extreme, a company headquartered in Livermore. He provided us with addresses for these companies (see Attachment 4 - DOCSN0211042226401BCF-4). Ms. Fitting asked Mr. Habbestad for copies of invoices from 8 Zone to any of the other companies owned by Pet Extreme. He called each of the related companies and requested that copies of the invoices be faxed to him.

While we were waiting for all of the faxes to be received, we conducted a cursory check of other pesticides in the store. No violations were noted. At 1:00 p.m., not all of the faxes had been received, so we collected the samples and went to lunch.

After lunch, we returned to Discount Pet and collected the invoices Mr. Habbestad had received from the other stores (see Attachment 5 - DOCSN0211042226401BCF-5 through 15), and conducted the closing interview. We completed the Receipt for Samples (see Attachment 6). It was signed by Mr. Habbestad. He was given the original and we retained the carbon copies.

The following documentary samples were collected for review:

- DOCSN0211042226401BCF-1, invoice #100341, dated January 12, 2004, from 8 Zone Whole Sale to Discount Pet - Lodi
- DOCSN0211042226401BCF-2, invoice #100329, dated December 10, 2003, from 8 Zone Whole Sale to Discount Pet - Lodi
- DOCSN0211042226401BCF-3, invoice #100352, dated February 6, 2004, from 8 Zone Whole Sale to Discount Pet - Lodi
- DOCSN0211042226401BCF-4, business cards/addresses of Pet Extreme
- DOCSN0211042226401BCF-5, invoice #100340, dated January 12, 2004, from 8 Zone Whole Sale to Discount Pet - Hammer Stockton
- DOCSN0211042226401BCF-6, invoice #100315, dated November 7, 2003, from 8 Zone Whole Sale to Pet Extreme - Turlock
- DOCSN0211042226401BCF-7, invoice #100339, dated January 10, 2004, from 8 Zone Whole Sale to Pet Extreme - Turlock
- DOCSN0211042226401BCF-8, invoice #100328, dated December 8, 2003, from 8 Zone Whole Sale to Pet Extreme - Clovis
- DOCSN0211042226401BCF-9, invoice #100323, dated November 23, 2003, from 8 Zone Whole Sale to Discount Pet - Country Club Stockton
- DOCSN0211042226401BCF-10, invoice #100334, dated January 2, 2004, from 8 Zone Whole Sale to Discount Pet - Country Club Stockton
- DOCSN0211042226401BCF-11, invoice #100347, dated January 23, 2004, from 8 Zone Whole Sale to Discount Pet - Country Club Stockton

- DOCSN0211042226401BCF-12, invoice #100317, dated November 11, 2003, from 8 Zone Whole Sale to Discount Pet - Country Club Stockton
- DOCSN0211042226401BCF-13, invoice #100314, dated November 7, 2003, from 8 Zone Whole Sale to Discount Pet - Country Club Stockton
- DOCSN0211042226401BCF-14, invoice #100338, dated January 8, 2004, from 8 Zone Whole Sale to Pet Extreme - Livermore
- DOCSN0211042226401BCF-15, invoice #100313, dated November 7, 2003, from 8 Zone Whole Sale to Pet Extreme - Livermore

One package of each of the following physical samples were collected for review:

- SN0211042226401BCF1 (Advantage for cats 9 lbs and under) (EPA Reg. No. 11556-116)
- SN0211042226401BCF2 (Advantage for dogs 10 lbs and under) (EPA Reg. No. 11556-117)
- SN0211042226401BCF3 (Advantage for dogs 11-20 lbs) (EPA Reg. No. 11556-119)
- SN0211042226401BCF4 (Advantage for dogs 21- 55 lbs) (EPA Reg. No. 11556-120)
- SN0211042226401BCF5 (Advantage for dogs over 55 lbs) (EPA Reg. No. 11556-122)
- SN0211042226401BCF6 (Frontline Plus for dogs 89-132 lbs)
- SN0211042226401BCF7 (Frontline Plus for dogs 23-44 lbs)
- SN0211042226401BCF8 (Frontline Plus for dogs 45 -88 lbs)
- SN0211042226401BCF9 (Frontline Plus for dogs 11-22 lbs)

During the inspection, Ms. Fitting proceeded to deliver a Stop Sale, Use, Removal, and Seizure Order: SS-04-002 (see Attachment 7) to Mr. Habbestad. She told him if he had questions regarding the order to contact her as listed.

Conclusion:

The following is a potential FIFRA violation:

1. Discount Pet sold and/or distributed to person(s) a pesticide that is not registered under section 3 or whose registration has been cancelled or suspended, except to the extent that distribution or sale otherwise has been authorized by the Administrator, a violation of FIFRA Section 12(a)(1)(A).

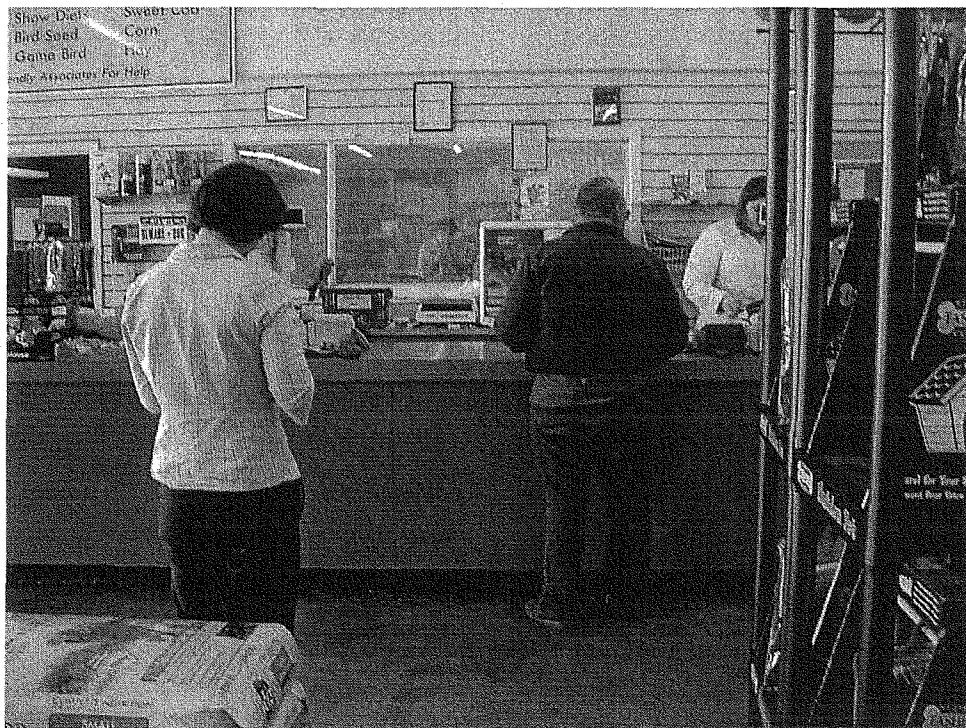
Attachments:

1. Photographs - Photograph Identification Numbers 1-4
2. Notice of Inspection

3. Invoices for product from 8 Zone to Discount Pet, Lodi (DOCSN0211042226401BCF 1 through 3)
- 4 Business cards/Addresses of Pet Extreme (DOCSN0211042226401BCF-4)
- 5 - Invoices for products from 8 Zone to other stores owned by Pet Extreme (DOCSN0211042226401BCF 5 through 15)
6. Receipt for Samples
7. Copy of Stop Sale, Use, Removal, and Seizure Order: SS-04-002



PIN 1 - Exterior of Discount Pet, Lodi, California



PIN 2 - Sales Counter of Discount Pet, Lodi, California



PIN 3 - Packages of Frontline/Advantage located behind sales counter at Discount Pet, Lodi, California



PIN 4 - Samples of nine illegal Frontline/Advantage products found at Discount Pet, Lodi, California



U. S. ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF INSPECTION

Attachment 2
ADDRESS (EPA Regional Office)75 Hawthorne St.
San Francisco, CA 94105

DATE

02/11/04

HOUR

10:47 A.M.
P.M.

NAME OF INDIVIDUAL

JAMES HABBESTAD

TITLE

MANAGER

FIRM NAME

Discount Pet
1411 S. Stockton Street
Lodi, CA 95240

FIRM ADDRESS (Number, Street, City, State and Zip Code)

SIGNATURE OF EPA EMPLOYEE

Blight Huling

TITLE

Enforcement officer

REASON FOR INSPECTION

- ☒ FOR THE PURPOSE OF INSPECTING AND OBTAINING SAMPLES OF ANY PESTICIDES OR DEVICES PACKAGED, LABELED, AND RELEASED FOR SHIPMENT, AND SAMPLES OF ANY CONTAINERS OR LABELING FOR SUCH PESTICIDES OR DEVICES, IN PLACES WHERE PESTICIDES OR DEVICES ARE HELD FOR DISTRIBUTION OR SALE (Sec. 9 (a) and 12 (a) (2) (B)).
- ☒ FOR THE PURPOSE OF INSPECTING AND OBTAINING COPIES OF THOSE RECORDS SPECIFIED IN SECTION 8 AND 40 CFR PART 169. (Sec. 8 and 12 (a) (2) (B)).

For Cause

VIOLATION SUSPECTED:

Sale of unregistered pesticides
(FIFRA Section 12(a)(1)(A))

Name: James Habbestad Signature

Section 8, 9(a) and 12(a)(2)(B) of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended (7 U.S.C. 136 et seq.) are quoted on the reverse of this form.

DOCSN021104227401BCF-1

Attachment 3 - page 1 of 3

8 ZONE WHOLE SALE

20783 N. 83RD AVE.
SUITE 103-199
PEORIA, AZ 85382
(623)298-4243 -
8zone@cox.net

Invoice

Invoice# 100341
January 12, 2004

Bill To: Pet Extreme-Discount Pet
ATTN: Joe Perkins
P.O. Box 3307
Turlock, CA 95381-3307
(209)656-1023 - Fax: (209)656-1413

Ship To: Discount Pet-Lodi
ATTN: James Habbestad
1411 S. Stockton Street
Lodi, CA 95240
(209)474-2195 - Fax: (209)369-6907

Pct# 4891

VAT 06295

Qty.	Part#	Description	Unit Price	Ext.
20.00	USFPC3	Frontline Plus 3 Pack Cat	\$21.00	\$420.00
10.00	USFPSM3	Frontline Plus 3 Pack SM Dog	\$22.00	\$220.00
10.00	USFPLG3	Frontline Plus 3 Pack LG Dog	\$23.50	\$235.00
20.00	USADVO4	US Advantage Orange Cat 4 Pack	\$23.00	\$460.00
20.00	USADVLGCAT4	US Advantage Purple Cat 4 Pack	\$24.00	\$480.00
20.00	USADVRDDG4	US Advantage Red Dog 4 Pack	\$25.00	\$500.00
20.00	USADVBLDG4	US Advantage Blue Dog 4 Pack	\$27.00	\$540.00
20.00	USADVTLDG4	US Advantage Teal Dog 4 Pack	\$24.00	\$480.00

Shipped Via: PRIORITY M
Shipment Track#:
Terms: COMPANY CHECK
Purchase Order#: 4891

Reference:
Salesperson: M., Denise

Comments: Thank you for your order.

Please pay from this invoice.

NET 10

Sub Total: \$3,335.00
Shipping: \$0.00
Handling: \$0.00
COD: \$0.00
0.00% Discount: \$0.00
0.00% Surcharge: \$0.00
0.0000% Sales Tax 1: \$0.00
0.0000% Sales Tax 2: \$0.00

Order Total: \$3,335.00
Payments: \$0.00
Balance Due: \$3,335.00

DPF - LODI

ACCT. # _____
ACCT. # _____

JAN 15 2004

ADMIN. *[Signature]*
MANAGER

RECEIVING	
DATE 1-15-04	DATE 1-15-04
CHECKED BY <i>[Signature]</i>	ENTERED BY <i>[Signature]</i>

DOCSN02110422260 01 BCF-2

Attachment 3 - page 2 of 3

8 ZONE WHOLE SALE

20783 N. 83RD AVE.
SUITE 103-199
PEORIA, AZ 85382
(623)298-4243 -
8zone@cox.net

PO# 4722

V# 06082

Invoice

Invoice# 100329
December 10, 2003

Bill To: Pet Extreme-Discount Pet
ATTN: Joe Perkins
P.O. Box 3307
Turlock, CA 95381-3307
(209)656-1023 - Fax: (209)656-1413

Ship To: Discount Pet-Lodi
ATTN: James Habbestad
1411 S. Stockton Street
Lodi, CA 95240
(209)474-2195 - Fax: (209)369-6907

Qty.	Part#	Description	Unit Price	Ext.
24.00	USADVO4	US Advantage Orange Cat 4 Pack	\$23.00	\$460.00
14.00	USADVLGCAT4	US Advantage Purple Cat 4 Pack	\$24.00	\$336.00
40.00	USFPC3	Frontline Plus 3 Pack Cat	\$21.00	\$840.00
20.00	USFPXL3	Frontline Plus 3 Pack XL Dog	\$24.50	\$490.00

Shipped Via: PRIORITY M
Shipment Track#:
Terms: COMPANY CHECK
Purchase Order#: 4722
Reference:
Salesperson: M. Denise
Comments: Happy Holidays, Thank you for your order!

Sub Total: \$2,126.00
Shipping: \$0.00
Handling: \$0.00
COD: \$0.00
0.00% Discount: \$0.00
0.00% Surcharge: \$0.00
0.0000% Sales Tax 1: \$0.00
0.0000% Sales Tax 2: \$0.00
Order Total: \$2,126.00
Payments: \$0.00
Balance Due: \$2,126.00

DPF - LODI

ACCT. # _____
ACCT. # _____

DEC 15 2003

ADMIN. [Signature]
MANAGER _____

2126.00
+ 240.00
+ 92.00

NEW INVOICE 2458.00
total

RECEIVING	
DATE 12-15-03	DATE 12-15-03
CHECKED BY [Signature]	ENTERED BY [Signature]

DOCSN0211042126401BCF-3

Attachment 3 - page 3 of 3

8 ZONE WHOLE SALE

20783 N. 83RD AVE.
 SUITE 103-199
 PEORIA, AZ 85382
 (623)298-4243 - - Fax (623)362-4134
 8zone@cox.net

Invoice

Invoice# 100352
 February 6, 2004

Bill To: Pet Extreme-Discount Pet
 ATTN: Joe Perkins
 P.O. Box 3307
 Turlock, CA 95381-3307
 (209)656-1023 - Fax: (209)656-1413

Ship To: Discount Pet-Lodi
 ATTN: James Habbestad
 1411 S. Stockton Street
 Lodi, CA 95240
 (209)474-2195 - Fax: (209)369-6907

Qty.	Part#	Description	Unit Price	Ext.
10.00	USADVRRDDG4	US Advantage Red Dog 4 Pack	\$25.00	\$250.00
30.00	USADVLGCAT4	US Advantage Purple Cat 4 Pack	\$24.00	\$720.00
15.00	USADVO4	US Advantage Orange Cat 4 Pack	\$23.00	\$345.00
15.00	USADVGRDG4	US Advantage Green Dog 4 Pack	\$23.00	\$345.00

Shipped Via: UPS COD GR
 Shipment Track#:
 Terms: NET 10
 Purchase Order#:
 Reference:
 Salesperson: M., Denise
 Comments: Thank you for your order.

Sub Total:	\$1,660.00
Shipping:	\$0.00
Handling:	\$0.00
COD:	\$0.00
0.00% Discount:	\$0.00
0.00% Surcharge:	\$0.00
0.0000% Sales Tax 1:	\$0.00
0.0000% Sales Tax 2:	\$0.00
Order Total:	\$1,660.00
Payments:	\$0.00
Balance Due:	\$1,660.00



JAMES HABBESTAD

- P.O. Box 3307, Turlock, CA 95381
- TEL (209) 656-1023
- FAX (209) 656-1413
- TOLL FREE (888) 466-9738
- WWW.PETEXTREME.COM

DISCOUNT PET

STOCKTON

1140 W. Hammer Lane
Stockton, CA 95209

p (209) 474-2195
f (209) 474-3260

LODI

1411 S. Stockton St.
Lodi, CA 95240

p (209) 333-7330
f (209) 369-8907

STOCKTON

1416 Country Club Blvd
Stockton, CA 95204

p (209) 948-9491
f (209) 948-6301

www.petextreme.com

DOCSN0211047226401BCF-4

Attachment - 4

PET EXTREME - LIVERMORE
4500 ARROYO VISTA DR
LIVERMORE, CA 94551
PH: 925-373-9738
FAX: 925-373-3565

PET EXTREME - TURLOCK
2840 COUNTRYSIDE DR
TURLOCK, CA 95381
PH: 209-656-7085
FAX: 209-656-7120

PET EXTREME - CLOVIS
1235 SHAW AVE
CLOVIS, CA
PH: 559-298-9738
FAX: 559-298-9707

Attachment 5- page 1 of 11

8 ZONE WHOLE SALE

20783 N: 83RD AVE.
SUITE 103-199
PEORIA, AZ 85382
(623)298-4243 -
8zone@cox.net

Invoice

Invoice# 100340
January 12, 2004

Po# 3716
V# 04502

Bill To: Pet Extreme-Discount Pet
ATTN: Joe Perkins
P.O. Box 3307
Turlock, CA 95381-3307
(209)656-1023 - Fax: (209)656-1413

Ship To: Discount Pet-Hammer
ATTN: Tish Ortega
1140 W. Hammer Lane
Stockton, CA 95209
(209)474-2195 - Fax: (209)474-3260

Qty.	Part#	Description	Unit Price	Ext.
24.00	USADVTLDG4	US Advantage Teal Dog 4 Pack	\$24.00 ✓	\$576.00
24.00	USADVRDDG4	US Advantage Red Dog 4 Pack	\$25.00 ✓	\$600.00
24.00	USADVBLDG4	US Advantage Blue Dog 4 Pack	\$27.00 ✓	\$648.00
24.00	USADVLGCAT4	US Advantage Purple Cat 4 Pack	\$24.00 ✓	\$576.00
24.00	USADVO4	US Advantage Orange Cat 4 Pack	\$23.00 ✓	\$552.00
24.00	USADVGRDG4	US Advantage Green Dog 4 Pack	\$23.00 ✓	\$552.00
24.00	USFPC3	Frontline Plus 3 Pack Cat	\$21.00 ✓	\$504.00
24.00	USFPSM3	Frontline Plus 3 Pack SM Dog	\$22.00 ✓	\$528.00
24.00	USFPMD3	Frontline Plus 3 Pack MED Dog	\$23.00 ✓	\$552.00
24.00	USFPLG3	Frontline Plus 3 Pack LG Dog	\$23.50 ✓	\$564.00
24.00	USFPXL3	Frontline Plus 3 Pack XL Dog	\$24.50 ✓	\$588.00

Shipped Via: PRIORITY M
Shipment Track#:
Terms: COMPANY CHECK

Purchase Order#: 3716

Reference:
Salesperson: M., Denise

Comments: Thank you for your order.

Please pay from this invoice.
NET 10

Sub Total: \$6,240.00
Shipping: \$0.00
Handling: \$0.00
COD: \$0.00
0.00% Discount: \$0.00
0.00% Surcharge: \$0.00
0.0000% Sales Tax 1: \$0.00
0.0000% Sales Tax 2: \$0.00
Order Total: \$6,240.00
Payments: \$0.00
Balance Due: \$6,240.00

RECEIVING	
DATE 1/15/04	DATE 1/15/04
CHECKED BY [Signature]	ENTERED BY [Signature]

DPF - HAMMER

ACCT.# _____
ACCT.# _____

JAN 15 2004

ADMIN. [Signature]
MANAGER [Signature]

DOCSN0211042226421 BCF-6

2/16/04

2 pages

8 ZONE WHOLE SALE

ATTN: James

Invoice20783 N. 83RD AVE.
SUITE 103-199
PEORIA, AZ 85382
(623)298-4243 -
8zone@cox.netInvoice# 100315
November 7, 2003Bill To: Pet Extreme-Discount Pet
ATTN: Joe Perkins
P.O. Box 3307
Turlock, CA 95381-3307
(209)656-1023 - Fax: (209)656-1413Ship To: Pet Extreme-Turlock
ATTN: Joe Perkins
2840 Countryside Dr.
Turlock, CA 95382
(209)656-7085

Qty.	Part#	Description	Unit Price	Ext.
12.00	USADVO4	US Advantage Orange Cat 4 Pack	\$23.00	✓ \$276.00
12.00	USADVLGCAT4	US Advantage Purple Cat 4 Pack	\$24.00	✓ \$288.00
12.00	USADVGRDG4	US Advantage Green Dog 4 Pack	\$23.00	✓ \$276.00
12.00	USADVTLDG4	US Advantage Teal Dog 4 Pack	\$24.00	✓ \$288.00
12.00	USADVBLDG4	US Advantage Blue Dog 4 Pack	\$27.00	✓ \$324.00
12.00	USFPC3	Frontline Plus 3 Pack Cat	\$21.00	✓ \$252.00
12.00	USFPSM3	Frontline Plus 3 Pack SM Dog	\$22.00	✓ \$264.00
12.00	USFPMD3	Frontline Plus 3 Pack MED Dog	\$23.00	✓ \$276.00
12.00	USFPLG3	Frontline Plus 3 Pack LG Dog	\$23.50	✓ \$282.00
12.00	USFPXL3	Frontline Plus 3 Pack XL Dog	\$24.50	✓ \$294.00

Shipped Via: PRIORITY M
Shipment Track#:
Terms: NET 10
Purchase Order#:
Reference:
Salesperson: M., Denise
Comments: Thank you for your order.
Net 10 Please pay from this invoiceSub Total: \$2,820.00
Shipping: \$0.00
Handling: \$0.00
COD: \$0.00
0.00% Discount: \$0.00
0.00% Surcharge: \$0.00
0.0000% Sales Tax 1: \$0.00
0.0000% Sales Tax 2: \$0.00Order Total: \$2,820.00
Payments: \$0.00
Balance Due: \$2,820.00+ 300.00
= 3120.00

QTY UPC

12 08543030 ADVANTAGE 21-55 LBS 26.00 = 300.00

POSTED

NOV 10 2003
BY Veronica
PX TURLOCK

DOCSN 021104 2226401 BCF-7

Attachment 5 - page 3 of 11

8 ZONE WHOLE SALE

20783 N. 83RD AVE.
SUITE 103-199
PEORIA, AZ 85382
(623)298-4243 -
8zone@cox.net

Invoice

Invoice# 100339
January 10, 2004

Bill To: Pet Extreme-Discount Pet
ATTN: Joe Perkins
P.O. Box 3307
Turlock, CA 95381-3307
(209)656-1023 - Fax: (209)656-1413

Ship To: Pet Extreme-Turlock
ATTN: Jeff Wideman
2840 Countryside Dr.
Turlock, CA 95382
(209)656-7085 - Fax: (209)656-7120

Qty.	Part#	Description	Unit Price	Ext.
12.00	USADVO4	US Advantage Orange Cat 4 Pack	\$23.00	\$276.00
12.00	USADVBLDG4	US Advantage Blue Dog 4 Pack	\$27.00	\$324.00
12.00	USADVGRDG4	US Advantage Green Dog 4 Pack	\$23.00	\$276.00
12.00	USFPC3	Frontline Plus 3 Pack Cat	\$21.00	\$252.00
12.00	USFPLG3	Frontline Plus 3 Pack LG Dog	\$23.50	\$282.00
12.00	USFPXL3	Frontline Plus 3 Pack XL Dog	\$24.50	\$294.00

Shipped Via: PRIORITY M
Shipment Track#:
Terms: COMPANY CHECK
Purchase Order#: 2296
Reference:
Salesperson: M., Denise
Comments: Thank you for your order!

Please pay from this invoice, Net 10.

Sub Total: \$1,704.00
Shipping: \$0.00
Handling: \$0.00
COD: \$0.00
0.00% Discount: \$0.00
0.00% Surcharge: \$0.00
0.0000% Sales Tax 1: \$0.00
0.0000% Sales Tax 2: \$0.00
Order Total: \$1,704.00
Payments: \$0.00
Balance Due: \$1,704.00

RECEIVED

JAN 14 2004

BY CCorban
PX TURLOCK

POSTED

JAN 14 2004

BY CH
PX TURLOCK

8 ZONE WHOLE SALE

20783 N. 83RD AVE.
SUITE 103-199
PEORIA, AZ 85382
(623)298-4243 -
8zone@cox.net

Invoice

Invoice# 100328
December 8, 2003

Bill To: Pet Extreme-Discount Pet
ATTN: Joe Perkins
P.O. Box 3307
Turlock, CA 95381-3307
(209)656-1023 - Fax: (209)656-1413

Ship To: Pet Extreme-Clovis
ATTN: Dennis Peevyhouse
1235 Shaw Avenue
Clovis, CA 93612
(559)227-9783

Qty.	Part#	Description	Unit Price	Ext.
20.00	USADVTLDG4	US Advantage Teal Dog 4 Pack	\$24.00	\$480.00
20.00	USADVRDDG4	US Advantage Red Dog 4 Pack	\$25.00	\$500.00
20.00	USADVBLDG4	US Advantage Blue Dog 4 Pack	\$27.00	\$540.00
20.00	USADVLGCAT4	US Advantage Purple Cat 4 Pack	\$24.00	\$480.00
20.00	USADVO4	US Advantage Orange Cat 4 Pack	\$23.00	\$460.00
20.00	USADVGRDG4	US Advantage Green Dog 4 Pack	\$23.00	\$460.00
20.00	USFPC3	Frontline Plus 3 Pack Cat	\$21.00	\$420.00
20.00	USFPSM3	Frontline Plus 3 Pack SM Dog	\$22.00	\$440.00
20.00	USFPMD3	Frontline Plus 3 Pack MED Dog	\$23.00	\$460.00
20.00	USFPLG3	Frontline Plus 3 Pack LG Dog	\$23.50	\$470.00
20.00	USFPXL3	Frontline Plus 3 Pack XL Dog	\$24.50	\$490.00

Shipped Via: UPS COD GR
Shipment Track#: _____
Terms: NET 10
Purchase Order#: 80019
Reference:
Salesperson: M. Denise
Comments: Thank you for your order.

Sub Total: \$5,200.00
Shipping: \$0.00
Handling: \$0.00
COD: \$0.00
0.00% Discount: \$0.00
0.00% Surcharge: \$0.00
0.0000% Sales Tax 1: \$0.00
0.0000% Sales Tax 2: \$0.00
Order Total: \$5,200.00
Payments: \$0.00
Balance Due: \$5,200.00

ATTN
James

RECEIVED

DEC 11 2003

PX CLOVIS

POSTED

DEC 12 2003

BY
PX CLOVIS

8 ZONE WHOLE SALE

20783 N. 83RD AVE.
SUITE 103-199
PEORIA, AZ 85382
(623)298-4243 -
8zone@cox.net

DOCSN0211042226401BCF-9

ATTEN JAMES 1 of 5 pages

Invoice

ATTEN: ANA

Invoice# 100323
November 23, 2003

1 of 3 pages

Attachment 5 - page 5 of 11

Bill To: Pet Extreme-Discount Pet
ATTN: Joe Perkins
P.O. Box 3307
Turlock, CA 95381-3307
(209)656-1023 - Fax: (209)656-1413

Ship To: Discount Pet-Country Club
ATTN: Eric Simmons
1416 Country Club Boulevard
Stockton, CA 95204
(209)948-9491 - Fax: (209)948-6301

Qty.	Part#	Description	Unit Price	Ext.
15.00	USADVO4	US Advantage Orange Cat 4 Pack	\$23.00	\$345.00
15.00	USADVLGCAT4	US Advantage Purple Cat 4 Pack	\$24.00	\$360.00
12.00	USADVRDDG4	US Advantage Red Dog 4 Pack	\$25.00	\$300.00
10.00	USFPC3	Frontline Plus 3 Pack Cat	\$21.00	\$210.00
10.00	USFPMD3	Frontline Plus 3 Pack MED Dog	\$23.00	\$230.00
10.00	USFPLG3	Frontline Plus 3 Pack LG Dog	\$23.50	\$235.00

Shipped Via: UPS COD GR
Shipment Track:
Terms: COMPANY CHECK
Purchase Order:
Reference:
Salesperson: M., Denise
Comments: Thank you for your order.

Please pay from this invoice. Net 10

Sub Total: \$1,680.00
Shipping: \$0.00
Handling: \$0.00
COD: \$0.00
0.00% Discount: \$0.00
0.00% Surcharge: \$0.00
0.0000% Sales Tax 1: \$0.00
0.0000% Sales Tax 2: \$0.00
Order Total: \$1,680.00
Payments: \$0.00
Balance Due: \$1,680.00

DPF - COUNTRY CLUB

ACCT. # _____
ACCT. # _____

DEC 02 2003

ADMIN. *Denise Edg*
MANAGER

FAXED By: *He*
Date: 12/2/03

8-ZONE WHOLE SALE

20783 N. 83RD AVE.
SUITE 103-199
PEORIA, AZ 85382
(623)298-4243 -
8zone@cox.net

Attachment 5 - page 6 of 11
DOCSN0211042226401BCF-10**INVOICE**

Invoice# 100334
January 2, 2004

Bill To: Pet Extreme-Discount Pet
ATTN: Joe Perkins
P.O. Box 3307
Turlock, CA 95381-3307
(209)656-1023 - Fax: (209)656-1413

Ship To: Discount Pet-Country Club
ATTN: Eric Simmons
1416 Country Club Boulevard
Stockton, CA 95204
(209)948-9491 - Fax: (209)948-6301

Qty.	Part#	Description	Unit Price	Ext.
10.00	USADVLGCAT4	US Advantage Purple Cat 4 Pack	\$24.00	\$240.00
30.00	USFPC3	Frontline Plus 3 Pack Cat	\$21.00	\$630.00
20.00	USFPSM3	Frontline Plus 3 Pack SM Dog	\$22.00	\$440.00
10.00	USFPLG3	Frontline Plus 3 Pack LG Dog	\$23.50	\$235.00

Shipped Via: UPS COD GR

Shipment Track#:

Terms: NET 10

Purchase Order#:

Reference:

Salesperson: M., Denise

Comments: Thank you for your order.

Please pay from this invoice.

Sub Total: \$1,545.00

Shipping: \$0.00

Handling: \$0.00

COD: \$0.00

0.00% Discount: \$0.00

0.00% Surcharge: \$0.00

0.0000% Sales Tax 1: \$0.00

0.0000% Sales Tax 2: \$0.00

Order Total: \$1,545.00

Payments: \$0.00

Balance Due: \$1,545.00

DPF - COUNTRY CLUB

ACCT. # _____

ACCT. # _____

JAN 06 2004

ADMIN. Denise Edge

MANAGER _____

By: De
Date: 1/6/04

8 ZONE WHOLE SALE

20783 N. 83RD AVE.
SUITE 103-199
PEORIA, AZ 85382
(623)293-4243 -
8zone@cox.net

DOCSN021104226401 BLF-14

Invoice

Invoice# 100347
January 23, 2004

Bill To: Pet Extreme-Discount Pet
ATTN: Joe Perkins
P.O. Box 3307
Turlock, CA 95381-3307
(209)656-1023 - Fax: (209)656-1413

Ship To: Discount Pet-Country Club
ATTN: Eric Simmons
1416 Country Club Boulevard
Stockton, CA 95204
(209)948-9491 - Fax: (209)948-6301

Qty.	Part#	Description	Unit Price	Ext.
10.00	USADVO4	US Advantage Orange Cat 4 Pack	\$23.00	\$230.00
8.00	USADVLGCAT4	US Advantage Purple Cat 4 Pack	\$24.00	\$144.00
5.00	USADVGRDG4	US Advantage Green Dog 4 Pack	\$23.00	\$115.00
10.00	USADVRDDG4	US Advantage Red Dog 4 Pack	\$25.00	\$250.00
10.00	USADVBLDG4	US Advantage Blue Dog 4 Pack	\$27.00	\$270.00
10.00	USFPSM3	Frontline Plus 3 Pack SM Dog	\$22.00	\$220.00
10.00	USFPLG3	Frontline Plus 3 Pack LG Dog	\$23.50	\$235.00
10.00	USFPXL3	Frontline Plus 3 Pack XL Dog	\$24.50	\$245.00

Shipped Via: PRIORITY M
Shipment Track#: _____
Terms: NET 10
Purchase Order#: _____
Reference: _____
Salesperson: M., Denise
Comments: Thank you for your order.

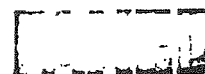
Sub Total: \$1,709.00
Shipping: \$0.00
Handling: \$0.00
COD: \$0.00
0.00% Discount: \$0.00
0.00% Surcharge: \$0.00
0.0000% Sales Tax 1: \$0.00
0.0000% Sales Tax 2: \$0.00
Order Total: \$1,709.00
Payments: \$0.00
Balance Due: \$1,709.00

DPF - COUNTRY CLUB

ACCT.# _____
ACCT.# _____

JAN 28 2004

ADMIN. 
MANAGER _____



By: 
Date: 1/28/04

Attachment 5 - page 8 of 11

ATTEN: JOE

Invoice

8 ZONE WHOLE SALE

20783 N. 83RD AVE.
SUITE 103-199
PEORIA, AZ 85382
(623)298-4243 -
8zone@cox.net

DOCSN021104226401BCF-12

1 of 2
pagesInvoice# 100317
November 11, 2003Bill To: Pet Extreme-Discount Pet.
ATTN: Joe Perkins
P.O. Box 3307
Turlock, CA 95381-3307
(209)656-1023 - Fax: (209)656-1413Ship To: Discount Pet-Country Club
ATTN: Joe Perkins
1416 Country Club Boulevard
Stockton, CA 95204
(209)948-9491

Qty.	Part#	Description	Unit Price	Ext.
10.00	USADVGRDG4	US Advantage Green Dog 4 Pack	\$23.00	\$230.00
10.00	USADVBLDG4	US Advantage Blue Dog 4 Pack	\$27.00	\$270.00
10.00	USADVTLDG4	US Advantage Teal Dog 4 Pack	\$24.00	\$240.00

Shipped Via: PRIORITY M

Shipment Tracking:

Terms: NET 10

Purchase Order#:

Reference:

Salesperson: M. Denise

Comments: Thank you for your order

Net 10 Please pay from this invoice.

Sub Total:	\$740.00
Shipping:	\$0.00
Handling:	\$0.00
COD:	\$0.00
0.00% Discount:	\$0.00
0.00% Surcharge:	\$0.00
0.0000% Sales Tax 1:	\$0.00
0.0000% Sales Tax 2:	\$0.00
Order Total:	\$740.00
Payments:	\$0.00
Balance Due:	\$740.00

DPF - COUNTRY CLUB

ACCT # _____

ACCT # _____

NOV 11 2003

ADMIN
MANAGERBy: 
Date: 11/11/03

DUCSN021104-26401BCF-13

8 ZONE WHOLE SALE

20783 N. 63RD AVE.
SUITE 103-199
PEORIA, AZ 85382
(623)298-4243 -
8zone@cox.net

Attachment 5 - page 9 of 11

Invoice

Invoice# 100314
November 7, 2003

Bill To: Pet Extreme-Discount Pet
ATTN: Joe Perkins
P.O. Box 3307
Turlock, CA 95381-3307
(209)656-1023 - Fax: (209)656-1413

Ship To: Discount Pet-Country Club
ATTN: Joe Perkins
1416 Country Club Boulevard
Stockton, CA 95204
(209)948-9491

Qty.	Part#	Description	Unit Price	Ext.
15.00	USADVO4	US Advantage Orange Cat 4 Pack <i>SHORT</i>	\$23.00	\$345.00
15.00	USADVLGCAT4	US Advantage Purple Cat 4 Pack <i>SHORT</i>	\$24.00	\$360.00
10.00	USADVGRDG4	US Advantage Green Dog 4 Pack	\$23.00	\$230.00
10.00	USADVRRDG4	US Advantage Red Dog 4 Pack <i>SHORT</i>	\$25.00	\$250.00
10.00	USADVBLDG4	US Advantage Blue Dog 4 Pack	\$27.00	\$270.00

Shipped Via: PRIORITY M
Shipment Track#:
Terms: NET 10
Purchase Order#:
Reference:
Salesperson: M., Denise
Comments: Thank you for your order

Net 10 Please pay from this invoice.

Sub Total: \$1,455.00
Shipping: \$0.00
Handling: \$0.00
COD: \$0.00
0.00% Discount: \$0.00
0.00% Surcharge: \$0.00
0.0000% Sales Tax 1: \$0.00
0.0000% Sales Tax 2: \$0.00
Order Total: \$1,455.00
Payments: \$0.00
Balance Due: \$1,455.00

VOID
REVISED INV.
100317 11/11/03

1,455.00+

*SHORT:**USADVO4*

345.00

USADVLGCAT4

360.00

USADVRRDG4

250.00

*OVER:**Real-11-2016.*
Dog

240.00+

TOTAL

740.00*

DOCSN/02110.4 2224401 BCF-14

8 ZONE WHOLE SALE

20783 N. 83RD AVE.

SUITE 103-189

PEORIA, AZ 85382

(623)298-4243

8zone@cox.net

Attachment 5 - page 10 of 11 **Invoice**

Invoice# 100338

January 8, 2004

Bill To: Pet Extreme-Discount Pet
 ATTN: Joe Perkins
 P.O. Box 3307
 Turlock, CA 95381-3307
 (209)656-1023 - Fax: (209)656-1413

Ship To: Pet Extreme-Livermore
 ATTN: Robert White
 4500 Arroyo Vista Drive
 Livermore, CA 94551
 (925)373-9738 - Fax: (925)373-3565

Qty.	Part#	Description	Unit Price	Ext.
20.00	USADVO4	US Advantage Orange Cat 4 Pack	\$23.00	\$460.00
30.00	USADVLGCAT4	US Advantage Purple Cat 4 Pack	\$24.00	\$720.00
10.00	USADVTLDG4	US Advantage Teal Dog 4 Pack	\$24.00	\$240.00
10.00	USADVRDDG4	US Advantage Red Dog 4 Pack	\$25.00	\$250.00
10.00	USADVBLDG4	US Advantage Blue Dog 4 Pack	\$27.00	\$270.00
10.00	USFPC3	Frontline Plus 3 Pack Cat	\$21.00	\$210.00
10.00	USFPSM3	Frontline Plus 3 Pack SM Dog	\$22.00	\$220.00
10.00	USFPMD3	Frontline Plus 3 Pack MED Dog	\$23.00	\$230.00
20.00	USFPLG3	Frontline Plus 3 Pack LG Dog	\$23.50	\$470.00
10.00	USFPXL3	Frontline Plus 3 Pack XL Dog	\$24.50	\$245.00

Shipped Via: UPS COD GR

Shipment Tracking:

Terms: COMPANY CHECK

Purchase Order#: 3729

Reference:

Salesperson: M., Denise

Comments: Thank you for your order!

Sub Total: \$3,315.00

Shipping: \$0.00

Handling: \$0.00

COD: \$0.00

0.00% Discount: \$0.00

0.00% Surcharge: \$0.00

0.0000% Sales Tax 1: \$0.00

0.0000% Sales Tax 2: \$0.00

Order Total: \$3,315.00

Payments: \$0.00

Balance Due: \$3,315.00

V/12 1200.11 1/04 3315.-
 Due 1/8
 ENTERED

PETX - LIVERMORE

ACCT.# _____

ACCT.# _____

JAN 12 2004

ADMIN. _____

MANAGER _____

RECEIVING	
DATE 1/10/04	DATE 1/12
CHECKED BY KK	ENTERED BY [Signature]

DOCSN0211042226401 BFC-15

8 ZONE WHOLE SALE

20783 N. 83RD AVE.
 SUITE 103-199
 PEORIA, AZ 85382
 (623)298-4243 -
 8zone@cox.net

Attachment 5 - page 11 of 11 **Invoice**

Invoice# 100313
 November 7, 2003

Bill To: Pet Extreme-Discount Pet
 ATTN: Joe Perkins
 P.O. Box 3307
 Turlock, CA 95381-3307
 (209)656-1023 - Fax: (209)656-1413

Ship To: Pet Extreme-Livermore
 ATTN: Joe Perkins
 4500 Arroyo Vista Drive
 Livermore, CA 94551
 (925)373-9738

Qty.	Part#	Description	Unit Price	Ext.
20.00	USADVO4	US Advantage Orange Cat 4 Pack	\$23.00	\$460.00
30.00	USADVLGCAT4	US Advantage Purple Cat 4 Pack	\$24.00	\$720.00
15.00	USADVGRDG4	US Advantage Green Dog 4 Pack	\$23.00	\$345.00
15.00	USADVTLDG4	US Advantage Teal Dog 4 Pack	\$24.00	\$360.00

Shipped Via: PRIORITY M
 Shipment Track#
 Terms: NET 10
 Purchase Order#:
 Reference:
 Salesperson: M., Denise
 Comments: Thank you for your order.
 Net 10 Please pay from this invoice

Sub Total: \$1,885.00
 Shipping: \$0.00
 Handling: \$0.00
 COD: \$0.00
 0.00% Discount: \$0.00
 0.00% Surcharge: \$0.00
 0.0000% Sales Tax 1: \$0.00
 0.0000% Sales Tax 2: \$0.00
 Order Total: \$1,885.00
 Payments: \$0.00
 Balance Due: \$1,885.00

11/12
 11/12
 W

PETX - LIVERMORE
 ACCT.#
 ACCT.#
 NOV 12 2003
 ADMIN
 MANAGER



U.S. ENVIRONMENTAL PROTECTION AGENCY

RECEIPT FOR SAMPLES

ADDRESS (EPA Regional Office)

75 Hawthorne St.
San Francisco, CA 94105

DATE

02/11/04

NAME OF INDIVIDUAL

James Habbestad

TITLE

Manager

FIRM NAME

Discount Pet

ADDRESS (Street, City, State and Zip Code)

1411 S. Stockton St
Folsom, CA 95240

SAMPLE NUMBERS

SAMPLES COLLECTED (Describe fully. List Registration, Lot, Batch, Model, Serial Numbers and other positive identifications.)

The following samples were collected by the U.S. Environmental Protection Agency and receipt is hereby acknowledged pursuant to Section 9.(a) of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended (7 U.S.C. 136 g). This section is quoted on the reverse of this form.

SN0211042226401 BCF1 Advantage cats 9 lbs under EPA Reg No. 11556-116
SN0211042226401 BCF2 Advantage 10 lbs under dogs EPA Reg No. 11556-117
SN0211042226401 BCF3 Advantage dogs 11-20 lbs EPA Reg No. 11556-119
SN0211042226401 BCF4 Advantage dogs 21-55 lbs EPA Reg No. 11556-120
SN0211042226401 BCF5 Advantage dogs over 55 lbs Reg No. 11556-122
SN0211042226401 BCF6 Frontline dogs 89-132 lbs EPA Reg No. 65331-5
SN0211042226401 BCF7 Frontline dogs 23-44 lbs EPA Reg No. 65331-5
SN0211042226401 BCF8 Frontline dogs 45-88 lbs EPA Reg No. 65331-5
SN0211042226401 BCF9 Frontline dogs 11-22 lbs EPA Reg No. 65331-5

Name: James Habbestad

Signature X

ACKNOWLEDGMENT OF PRODUCER/REGISTRANT

The undersigned acknowledges that the samples shown above were obtained from pesticides or devices that were packaged, labeled, and released for shipment.

SIGNATURE (Owner, Operator, or Agent)

TITLE (Owner, Operator or Agent)

[Signature]

Manager

☒ DUPLICATE SAMPLES REQUESTED AND PROVIDED

☒ DUPLICATE SAMPLES NOT REQUESTED

SAMPLES WERE

☐ PURCHASED

☒ BORROWED

AMOUNT PAID FOR SAMPLES

\$

☐ CASH

☐ VOUCHER

☐ TO BE BILLED

NAME OF COLLECTOR (Print or type)

TITLE OF COLLECTOR

SIGNATURE OF COLLECTOR

Bright Fitting

Enforcement officer

[Signature]



U.S. ENVIRONMENTAL PROTECTION AGENCY

RECEIPT FOR SAMPLES

Page
2 of 3

ADDRESS (EPA Regional Office)

75 Hawthorne St.
San Francisco CA 94105

DATE

2/11/04

NAME OF INDIVIDUAL

James Habbestad

TITLE

Manager

FIRM NAME

Discount Pet

ADDRESS (Street, City, State and Zip Code)

1411 S. Stockton St.
Lodi, CA 95240

SAMPLE NUMBERS

SAMPLES COLLECTED (Describe fully. List Registration, Lot, Batch, Model, Serial Numbers and other positive identifications.)

The following samples were collected by the U.S. Environmental Protection Agency and receipt is hereby acknowledged pursuant to Section 9(a) of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended (7 U.S.C. 136 g). This section is quoted on the reverse of this form.

DOC^{SN}021104 2226401 BCF-1 Invoice #100341 dated Jan 12, 2004
from 8 Zone Wholesale to Discount Pet-Lodi

DOC^{SN}021104 2226401 BCF-2 Invoice #100329 dated Dec 0, 03
from 8 Zone Wholesale to Discount Pet-Lodi

DOC^{SN}021104 2226401 BCF-3 Invoice #100352 dated Feb 6, 2004
from 8 Zone Wholesale to Discount Pet-Lodi

DOC^{SN}021104 2226401 BCF-4 business cards/addresses of
Pet Extreme

DOC^{SN}021104 2226401 BCF-5 Invoice #100340 dated Jan 12, 2004
from 8 Zone Wholesale to Discount Pet-Hammer Stockton

DOC^{SN}021104 2226401 BCF-6 Invoice #100315 dated Nov 7, 2003
from 8 Zone Wholesale to Pet Extreme-Turlock

DOC^{SN}021104 2226401 BCF-7 Invoice #100339 dated Jan 10, 2004
from 8 Zone Wholesale to Pet Extreme-Turlock

ACKNOWLEDGMENT OF PRODUCER/REGISTRANT

The undersigned acknowledges that the samples shown above were obtained from pesticides or devices that were packaged, labeled, and released for shipment.

SIGNATURE (Owner, Operator, or Agent)

[Signature]

TITLE (Owner, Operator or Agent)

Manager

☐ DUPLICATE SAMPLES REQUESTED AND PROVIDED

☒ DUPLICATE SAMPLES NOT REQUESTED

SAMPLES WERE:

☐ PURCHASED

☒ BORROWED

AMOUNT PAID FOR SAMPLES

\$

☐ CASH

☐ VOUCHER

☐ TO BE BILLED

NAME OF COLLECTOR (Print or type)

Travis J. Hitting

TITLE OF COLLECTOR

Enforcement officer

SIGNATURE OF COLLECTOR

[Signature]



U.S. ENVIRONMENTAL PROTECTION AGENCY

RECEIPT FOR SAMPLES

Page
3 of 3

ADDRESS (EPA Regional Office)

75 Hawthorne St.
San Francisco, CA 94105
DATE 02/11/04

NAME OF INDIVIDUAL James Habbestad	TITLE Manager
FIRM NAME (Pet Extreme) Discount Pet	ADDRESS (Street, City, State and Zip Code) 4500 Arroyo Vista Livermore, CA 94550

SAMPLE NUMBERS
1 samples collected @ 1411 S. Stockton St.

SAMPLES COLLECTED (Describe fully, List Registration, Lot, Batch, Model, Serial Numbers and other positive identifications.)

The following samples were collected by the U.S. Environmental Protection Agency and receipt is hereby acknowledged pursuant to Section 9.(a) of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended (7 U.S.C. 136 g). This section is quoted on the reverse of this form.

DOCSN0211042226401 BCF-8 Invoice #100328 dated Dec 8, 2003
from 8 Zone Whole Sale to Pet Extreme - Clovis

DOCSN0211042226401 BCF-9 Invoice #100323 dated Nov 03, 2003
from 8 Zone Whole Sale to Discount Pet Country Club Stockton

DOCSN0211042226401 BCF-10 Invoice #100334 dated Jan 2, 2004
from 8 Zone Whole Sale to Discount Pet Country Club Stockton

DOCSN0211042226401 BCF-11 Invoice #100347 Jan 23, 2004
from 8 Zone Whole Sale to Discount Pet - Country Club Stockton

DOCSN0211042226401 BCF-12 Invoice #100317 dated Nov 11, 2003
from 8 Zone Whole Sale to Discount Pet - Country Club Stockton

DOCSN0211042226401 BCF-13 Invoice #100314 dated Nov 7, 2003

DOCSN0211042226401 BCF-14 Invoice #100338 dated January 8, 2004
DOCSN0211042226401 BCF-15 Invoice #100313 dated 11/01/03
from 8 Zone Whole Sale to Discount Pet - Country Club Stockton
from 8 Zone Whole Sale to Pet Extreme dard 01/08/04
Livermore

ACKNOWLEDGMENT OF PRODUCER/REGISTRANT

The undersigned acknowledges that the samples shown above were obtained from pesticides or devices that were packaged, labeled, and released for shipment.

SIGNATURE (Owner, Operator or Agent) James Habbestad	TITLE (Owner, Operator or Agent) Manager
<input type="checkbox"/> DUPLICATE SAMPLES REQUESTED AND PROVIDED <input checked="" type="checkbox"/> DUPLICATE SAMPLES NOT REQUESTED	SAMPLES WERE <input type="checkbox"/> PURCHASED <input checked="" type="checkbox"/> BORROWED

AMOUNT PAID FOR SAMPLES \$ 0	<input type="checkbox"/> CASH <input type="checkbox"/> VOUCHER <input type="checkbox"/> TO BE BILLED
---------------------------------	--

NAME OF COLLECTOR (Print or type) Bright Fitting	TITLE OF COLLECTOR Enforcement officer	SIGNATURE OF COLLECTOR Bright Fitting
---	---	--

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
SAN FRANCISCO, CALIFORNIA

In the matter of:)	
)	STOP SALE, USE, OR
Discount Pet)	REMOVAL ORDER
1411 S. Stockton Street)	
Lodi, CA 95240)	
)	
Respondent)	Docket No. SS-04-0002
)	

I. AUTHORITY

1. The United States Environmental Protection Agency ("EPA") is authorized under Section 13(a) of the Federal Insecticide, Fungicide, and Rodenticide Act ("FIFRA"), 7 U.S.C. 136k(a), to issue an order prohibiting the sale, use, or removal of any pesticide or device by any person who owns, controls, or has custody of such pesticide or device whenever there is a reason to believe that, inter alia, the pesticide or device is in violation of any provision of FIFRA, or the pesticide or device has been or is intended to be distributed or sold in violation of any provision of FIFRA.
2. The EPA Administrator delegated to the EPA Regional Administrator for Region IX the authority to issue orders under Section 13(a) of FIFRA by delegation Chapter 5, Section 5-12, dated May 11, 1994. The Regional Administrator of Region IX further delegated this authority to the Director and the Pesticide Section Chief of the Cross Media Division by Region Order Number R1255.01D, dated December 12, 1996.
3. This Stop Sale, Use, or Removal Order (the "Order") pertains to the following products

that were sold or distributed by Pang & Son Distribution, LLC ("Pang & Son") from January 1, 2001 to present: (1) ADVANTAGE 10 FOR DOGS (1-10 pounds ("lbs.)); (2) ADVANTAGE 20 FOR DOGS (11-22 lbs.); (3) ADVANTAGE 55 FOR DOGS (23-55 lbs.); (4) ADVANTAGE 100 FOR DOGS (over 55 lbs.); (5) ADVANTAGE 9 FOR CATS (1-9 lbs.); (6) ADVANTAGE 18 FOR CATS (10-18 lbs.); (7) FRONTLINE PLUS FOR DOGS (11-22 lbs.); (8) FRONTLINE PLUS FOR DOGS (23-44 lbs.); (9) FRONTLINE PLUS FOR DOGS (45-88 lbs.); (10) FRONTLINE PLUS FOR DOGS (89-132 lbs.); (11) FRONTLINE PLUS FOR CATS; (12) FRONTLINE TOP SPOT FOR DOGS (1-22 lbs.); (13) FRONTLINE TOP SPOT FOR DOGS (23-44 lbs.); (14) FRONTLINE TOP SPOT FOR DOGS (45-88 lbs.); (15) FRONTLINE TOP SPOT FOR DOGS (89-132 lbs.); and (16) FRONTLINE TOP SPOT FOR CATS.

II. FINDINGS OF FACTS AND CONCLUSIONS OF LAW

A. Pesticide Registration History

4. "Frontline Top Spot for Dogs" (EPA Registration Number 65331-3), "Frontline Top Spot for Cats" (EPA Registration Number 65331-2), "Frontline Plus for Dogs" (EPA Registration Number 65331-5), and "Frontline Plus for Cats" (EPA Registration Number 65331-4) are EPA-registered pesticides sold in the United States as a topical flea and tick treatment for dogs and cats. Merial, Limited ("Merial") is the registrant of these pesticides and owns the registered trademark "Frontline." Merial produces "Frontline" products at its registered establishments in France (EPA Establishment Number 65331-FR-2), Germany (EPA Establishment Number 65331-DEU-1), and Republic of Georgia (EPA Establishment Number 65331-GA-1), for sale within the United States.

5. "Frontline Top Spot for Dogs" is distributed in four sizes for dogs (1-22 lbs; 23-44 lbs; 45-88 lbs; and 89-132 lbs). "Frontline Top Spot for Cats" is distributed in one size.

"Frontline Plus for Dogs" is distributed in four sizes for dogs (11-22 lbs; 23-44 lbs; 45-88 lbs; and 89-132 lbs). "Frontline Plus for Cats" is distributed in one size.
6. "Frontline Top Spot for Dogs" and "Frontline Top Spot for Cats" products contain "fipronil" as the active ingredient. "Frontline Plus for Dogs" and "Frontline Plus for Cats" products contain "fipronil" and "(S)-methoprene" as the active ingredients. Both "fipronil" and "(S)-methoprene" are insecticides.
7. The labeling accepted by EPA in connection with the registration of "Frontline Top Spot for Dogs" and "Frontline Top Spot for Cats" states that the products "[k]ills fleas and ticks."
8. The labeling accepted by EPA in connection with the registration of "Frontline Plus for Dogs" and "Frontline Plus for Cats" states that the products "[k]ills fleas, flea eggs, and ticks."
9. The labeling accepted by EPA in connection with the registration of "Frontline Top Spot for Dogs," "Frontline Top Spot for Cats," "Frontline Plus for Dogs," and "Frontline Plus for Cats" consists of:
 - A. An outer retail carton bearing directions for use, a statement of ingredients, and other information.
 - B. A pamphlet insert bearing directions for use.
 - C. A reapplication card.
 - D. A child resistant blister package containing either three or six product applicators.

Each product applicator bears, among other information:

- i. the product name;
- ii. the size of the product in U.S. customary units of volume (i.e., fluid ounces);
- iii. name and percentage by weight of active ingredient;
- iv. EPA registration number;
- v. reference statement referring users to the main labeling on the outer cartons; and
- vi. company name and lot number.

10. "Advantage 10 for Dogs" (for dogs weighing 10 lbs. or less)(EPA Registration Number 11556-117); "Advantage 20 for Dogs" (for dogs weighing 11-20 lbs.)(EPA Registration Number 11556-19); "Advantage 55 for Dogs" (for dogs weighing 21-55 lbs.)(EPA Registration Number 11556-120); "Advantage 100 for Dogs" (for dogs weighing over 55 lbs.)(EPA Registration Number 11556-122); "Advantage 9 for Cats" (for cats weighing 9 lbs. or less)(EPA Registration Number 11556-116); and "Advantage 18 for Cats" (for cats weighing over 9 lbs.)(EPA Registration Number 11556-118) are EPA-registered pesticides sold in the United States as a topical flea treatment for dogs and cats. Bayer Corporation ("Bayer") is the registrant of these pesticides and owns the registered trademark "Advantage." Bayer produces these pesticides at its registered establishment in Germany (EPA Establishment Number 11556-DEU-1) for sale within the United States.
11. "Advantage" products contain "imidacloprid," an insecticide, as the active ingredient.

12. The labeling accepted by EPA in connection with the registration of "Advantage" products states that the products "[k]ills fleas."
13. The labeling accepted by EPA in connection with the registration of "Advantage" products consists of:
 - A. An outer retail carton bearing directions for use, a statement of ingredients, and other information.
 - B. A pamphlet insert bearing directions for use (except "Advantage 18 for Cats").
 - C. A blister package containing four product tubes. Each product tube bears, among other information:
 - i the product name;
 - ii. name and percentage by weight of active ingredient;
 - iii. contents by volume;
 - iv. EPA registration number;
 - v. signal word ("WARNING");
 - vi. child hazard warning ("KEEP OUT OF REACH OF CHILDREN");
 - vii. reference statement referring users to the main labeling on the outer cartons; and
 - viii. company name and lot number.

B. Sale/Distribution of "Advantage" and "Frontline" Products

14. At all times relevant to this Order, Centinela Feed and Pet Supplies ("Centinela" or "Respondent") is a "person" as that term is defined in Section 2(s) of FIFRA, 7 U.S.C. § 136(s).

15. Pang & Son is a business located at 1414 Alexander Street, #201, Honolulu, Hawaii 96822.
16. On or about July 31, 2003, the Bureau of Customs and Border Protection ("Customs") of the Department of Homeland Security seized two international importations of empty retail cartons from Taiwan addressed to Pang & Son.
17. The shipments consisted of 26,000 empty retail cartons displaying the trademark name "Frontline" and 6,000 empty cardboard boxes displaying the trademark name "Advantage."
18. On August 18, 2003, Customs issued a notice to Pang & Son requesting samples of the products that were to be placed inside the empty retail cartons and the address and location of the manufacturer of the empty retail cartons and the producer of the pesticides to be inserted in the retail cartons.
19. In response to the request, Pang & Son provided Customs with samples of the finished products. The retail cartons of these samples were identical to EPA registered "Frontline" products. However, the samples differed substantially from the EPA registered "Frontline" products in that they were not sealed in the EPA-approved child resistant blister package; did not contain EPA required statements; and listed the ingredients in a foreign metric system. The samples also lacked EPA required paper label inserts indicating the package contents, warnings, and EPA registration number.
20. In response to the request, Pang & Son also provided Customs with an invoice that reported that payment of \$5,245 by Pang & Son to Taiwan Overseas Distribution of Keelung, Taiwan for 42,000 outer retail cartons with the label "Frontline" in 2003.

21. On September 11, 2003, two agents from the Bureau of Immigration and Customs Enforcement of the Department of Homeland Security interviewed David Pang, the owner of Pang & Son.
22. During the September 11, 2003 interview, David Pang indicated that Pang & Son had purchased counterfeit outer retail cartons of "Frontline" and "Advantage" products registered for sale in the United States from printers in China and Taiwan since 2001.
23. During the September 11, 2003 interview, David Pang indicated that Pang & Son imported "Frontline" and "Advantage" product blister packages (i.e., the topical chemical or flea treatment product excluding the foreign marked boxes) from various foreign distributors since 2001.
24. During the September 11, 2003 interview, David Pang indicated that Pang & Son repackaged (produced) "Frontline" and "Advantage" products by placing the foreign labeled blister packages inside the counterfeit outer retail cartons and sold or distributed the final products to various retailers throughout the United States since 2001.
25. In December 2003, the Office of Pesticide Programs ("OPP") of EPA conducted an enforcement case review ("ECR"), examining copies of samples of the "Advantage" products produced and sold by Pang & Son.
26. In its December 2003 ECR, OPP examined copies of samples of ADVANTAGE 10 FOR DOGS (1-10 lbs.), ADVANTAGE 20 FOR DOGS (11-20 lbs.), ADVANTAGE 100 FOR DOGS (over 55 lbs.), and ADVANTAGE 18 FOR CATS (10-18 lbs.) and compared them to EPA registered products.
27. In its December 2003 ECR, OPP determined that all four samples contained product

tubes bearing labeling substantially different from that found in EPA registered products. The labeling was: (1) in French or German; (2) contained wrong product names (e.g., "Advantage 40" instead of "Advantage 10 for Dogs"; (3) lacked the EPA registration number; (4) lacked the signal word "WARNING"; (5) lacked the child hazard warning "KEEP OUT OF REACH OF CHILDREN"; (6) lacked reference statements referring users to the main labeling on the outer carton; and (7) contained ingredient statements showing a percentage of active ingredient different from that on EPA registered products (10% instead of 9.1%).

28. In its December 2003 ECR, OPP concluded that all four samples of the "Advantage" products consisted of foreign, unregistered product tubes enclosed in counterfeit outer retail cartons bearing labeling identical to EPA registered "Advantage" products. However, this labeling had been recently superseded and thus lacked the first aid statement required in currently accepted labeling on EPA registered "Advantage" products.
29. In January 2004, OPP conducted an ECR, examining copies of samples of the "Frontline" products produced and sold by Pang & Son.
30. In its January 2004 ECR, OPP examined copies of samples of FRONTLINE PLUS FOR DOGS (23-44 lbs.), FRONTLINE PLUS FOR DOGS (45-88 lbs.), FRONTLINE PLUS FOR DOGS (89-132 lbs.), FRONTLINE TOP SPOT FOR DOGS (1-22 lbs.), FRONTLINE TOP SPOT FOR DOGS (23-44 lbs.), and FRONTLINE TOP SPOT FOR DOGS (89-132 lbs.) and compared them to EPA registered products.
31. In its January 2004 ECR, OPP determined that the samples of FRONTLINE PLUS FOR

DOGS (23-44 lbs.), FRONTLINE PLUS FOR DOGS (45-88 lbs.), and FRONTLINE PLUS FOR DOGS (89-132 lbs.) lacked the child resistant blister packaging for the product tubes.

32. In its January 2004 ECR, OPP determined that the samples of FRONTLINE PLUS FOR DOGS (23-44 lbs.), FRONTLINE PLUS FOR DOGS (45-88 lbs.), and FRONTLINE PLUS FOR DOGS (89-132 lbs.) contained product applicators bearing labeling substantially different from that found in the EPA registered products. The labeling: (1) contained a product name not found on EPA registered products (e.g., "Frontline Plus Large Dog" instead of "Frontline Plus for Dogs"); (2) identified the product size in metric instead of U.S. Customary units of measure; (3) failed to identify the size of the dog for which use is intended; (4) failed to identify the active ingredients by percentage and in U.S. Customary units of measure; and (5) failed to list an EPA registration number.
33. In its January 2004 ECR, OPP determined that the samples of FRONTLINE PLUS FOR DOGS (23-44 lbs.), FRONTLINE PLUS FOR DOGS (45-88 lbs.), and FRONTLINE PLUS FOR DOGS (89-132 lbs.) lacked pamphlet inserts bearing directions for use and other important information.
34. In its January 2004 ECR, OPP determined that the samples of FRONTLINE PLUS FOR DOGS (23-44 lbs.), FRONTLINE PLUS FOR DOGS (45-88 lbs.), and FRONTLINE PLUS FOR DOGS (89-132 lbs.) were misbranded within the meaning of FIFRA Section 2(q)(1)(B), 7 U.S.C. § 136(q)(1)(B).
35. In its January 2004 ECR, OPP determined that the sample of FRONTLINE TOP SPOT FOR DOGS (1-22 lbs.) contained product applicators missing labeling required in the

EPA registered products and was therefore misbranded within the meaning of FIFRA Section 2(q)(1)(B), 7 U.S.C. § 136(q)(1)(B).

36. Invoices collected by EPA from Pang & Son indicate that Pang & Son sold or distributed the following products to various retailers throughout the United States in or about September 2003: (1) ADVANTAGE 10 FOR DOGS (1-10 lbs.); (2) ADVANTAGE 20 FOR DOGS (11-22 lbs.); (3) ADVANTAGE 55 FOR DOGS (23-55 lbs.); (4) ADVANTAGE 100 FOR DOGS (over 55 lbs.); (5) ADVANTAGE 9 FOR CATS (1-9 lbs.); (6) ADVANTAGE 18 FOR CATS (10-18 lbs.); (7) FRONTLINE PLUS FOR DOGS (11-22 lbs.); (8) FRONTLINE PLUS FOR DOGS (23-44 lbs.); (9) FRONTLINE PLUS FOR DOGS (45-88 lbs.); (10) FRONTLINE PLUS FOR DOGS (89-132 lbs.); (11) FRONTLINE PLUS FOR CATS; (12) FRONTLINE TOP SPOT FOR DOGS (1-22 lbs.); (13) FRONTLINE TOP SPOT FOR DOGS (23-44 lbs.); (14) FRONTLINE TOP SPOT FOR DOGS (45-88 lbs.); (15) FRONTLINE TOP SPOT FOR DOGS (89-132 lbs.); and (16) FRONTLINE TOP SPOT FOR CATS.
37. (1) ADVANTAGE 10 FOR DOGS (1-10 lbs.); (2) ADVANTAGE 20 FOR DOGS (11-22 lbs.); (3) ADVANTAGE 55 FOR DOGS (23-55 lbs.); (4) ADVANTAGE 100 FOR DOGS (over 55 lbs.); (5) ADVANTAGE 9 FOR CATS (1-9 lbs.); (6) ADVANTAGE 18 FOR CATS (10-18 lbs.); (7) FRONTLINE PLUS FOR DOGS (11-22 lbs.); (8) FRONTLINE PLUS FOR DOGS (23-44 lbs.); (9) FRONTLINE PLUS FOR DOGS (45-88 lbs.); (10) FRONTLINE PLUS FOR DOGS (89-132 lbs.); (11) FRONTLINE PLUS FOR CATS; (12) FRONTLINE TOP SPOT FOR DOGS (1-22 lbs.); (13) FRONTLINE TOP SPOT FOR DOGS (23-44 lbs.); (14) FRONTLINE TOP SPOT

FOR DOGS (45-88 lbs.); (15) FRONTLINE TOP SPOT FOR DOGS (89-132 lbs.); and (16) FRONTLINE TOP SPOT FOR CATS are used to prevent or control fleas and/or ticks on household pets.

38. Fleas and ticks are “insects” and therefore “pests” as that term is defined in Section 2(t) of FIFRA, 7 U.S.C. § 136(t).
39. (1) ADVANTAGE 10 FOR DOGS (1-10 lbs.); (2) ADVANTAGE 20 FOR DOGS (11-22 lbs.); (3) ADVANTAGE 55 FOR DOGS (23-55 lbs.); (4) ADVANTAGE 100 FOR DOGS (over 55 lbs.); (5) ADVANTAGE 9 FOR CATS (1-9 lbs.); (6) ADVANTAGE 18 FOR CATS (10-18 lbs.); (7) FRONTLINE PLUS FOR DOGS (11-22 lbs.); (8) FRONTLINE PLUS FOR DOGS (23-44 lbs.); (9) FRONTLINE PLUS FOR DOGS (45-88 lbs.); (10) FRONTLINE PLUS FOR DOGS (89-132 lbs.); (11) FRONTLINE PLUS FOR CATS; (12) FRONTLINE TOP SPOT FOR DOGS (1-22 lbs.); (13) FRONTLINE TOP SPOT FOR DOGS (23-44 lbs.); (14) FRONTLINE TOP SPOT FOR DOGS (45-88 lbs.); (15) FRONTLINE TOP SPOT FOR DOGS (89-132 lbs.); and (16) FRONTLINE TOP SPOT FOR CATS are “pesticides” as that term is defined in Section 2(u) of FIFRA, 7 U.S.C. § 136(u), in that they are substances or mixtures of substances intended for preventing, destroying, repelling, or mitigating pests.
40. Unless otherwise specifically provided for by FIFRA, no person may distribute, sell, offer for sale, or hold for sale to any person any pesticide that is not registered with the Administrator of EPA. 7 U.S.C. § 136j(a)(1)(A).
41. Unless otherwise specifically provided for by FIFRA, no person may distribute, sell, offer for sale, or hold for sale to any person any pesticide that is misbranded. 7 U.S.C.

§ 136j(a)(1)(E).

42. From or about January 1, 2001 to present, Pang & Son had not registered and was not authorized by the registrants to produce: (1) ADVANTAGE 10 FOR DOGS (1-10 lbs.); (2) ADVANTAGE 20 FOR DOGS (11-22 lbs.); (3) ADVANTAGE 55 FOR DOGS (23-55 lbs.); (4) ADVANTAGE 100 FOR DOGS (over 55 lbs.); (5) ADVANTAGE 9 FOR CATS (1-9 lbs.); (6) ADVANTAGE 18 FOR CATS (10-18 lbs.); (7) FRONTLINE PLUS FOR DOGS (11-22 lbs.); (8) FRONTLINE PLUS FOR DOGS (23-44 lbs.); (9) FRONTLINE PLUS FOR DOGS (45-88 lbs.); (10) FRONTLINE PLUS FOR DOGS (89-132 lbs.); (11) FRONTLINE PLUS FOR CATS; (12) FRONTLINE TOP SPOT FOR DOGS (1-22 lbs.); (13) FRONTLINE TOP SPOT FOR DOGS (23-44 lbs.); (14) FRONTLINE TOP SPOT FOR DOGS (45-88 lbs.); (15) FRONTLINE TOP SPOT FOR DOGS (89-132 lbs.); and (16) FRONTLINE TOP SPOT FOR CATS with EPA.
43. From or about January 1, 2001 to present, Pang & Son was not a “registrant” within the meaning of Section 2(y) of FIFRA. 7 U.S.C. § 136(y).
44. Unless otherwise specifically provided for by FIFRA, no person may “produce” any pesticide or active ingredient used in producing a pesticide unless the “establishment” in which it is produced is registered with EPA. 7 U.S.C. § 136e(a).
45. The term “produce” means to manufacture, prepare, compound, propagate, or process any pesticide or device or active ingredient used in producing a pesticide. See 7 U.S.C. § 136(w). See also 40 C.F.R. § 167.3.
46. The term “establishment” means any place where a pesticide or device or active ingredient used in producing a pesticide is produced, or held, for distribution or sale.

7 U.S.C. § 136(dd).

47. From or about January 1, 2001 to present, Pang & Son was not registered with EPA as a pesticide producing "establishment."
48. On or about September 16, 2003, Pang & Son sold or distributed various quantities of (1) ADVANTAGE 55 FOR DOGS (23-55 lbs.); (2) ADVANTAGE 100 FOR DOGS (over 55 lbs.); (3) ADVANTAGE 9 FOR CATS (1-9 lbs.); (4) ADVANTAGE 18 FOR CATS (10-18 lbs.); and (5) FRONTLINE TOP SPOT FOR DOGS (1-22 lbs.) to Respondent.
49. On or about September 24, 2003, Pang & Son sold or distributed various quantities of (1) ADVANTAGE 55 FOR DOGS (23-55 lbs.); (2) ADVANTAGE 100 FOR DOGS (over 55 lbs.); and (3) FRONTLINE PLUS FOR CATS to Respondent.
50. On or about September 25, 2003, Pang & Son sold or distributed various quantities of (1) ADVANTAGE 55 FOR DOGS (23-55 lbs.); (2) FRONTLINE PLUS FOR DOGS (11-22 lbs.); (3) FRONTLINE PLUS FOR DOGS (23-44 lbs.); (4) FRONTLINE PLUS FOR DOGS (45-88 lbs.); (5) FRONTLINE PLUS FOR DOGS (89-132 lbs.); and (6) FRONTLINE PLUS FOR CATS to Respondent.

III. ORDER

51. Respondent is hereby ordered not to distribute, sell, use, or remove the following unregistered pesticide products purchased or otherwise received from Pang & Son from January 1, 2001 to present: (1) ADVANTAGE 10 FOR DOGS (1-10 lbs.); (2) ADVANTAGE 20 FOR DOGS (11-22 lbs.); (3) ADVANTAGE 55 FOR DOGS (23-55 lbs.); (4) ADVANTAGE 100 FOR DOGS (over 55 lbs.); (5) ADVANTAGE 9 FOR

CATS (1-9 lbs.); (6) ADVANTAGE 18 FOR CATS (10-18 lbs.); (7) FRONTLINE PLUS FOR DOGS (11-22 lbs.); (8) FRONTLINE PLUS FOR DOGS (23-44 lbs.); (9) FRONTLINE PLUS FOR DOGS (45-88 lbs.); (10) FRONTLINE PLUS FOR DOGS (89-132 lbs.); (11) FRONTLINE PLUS FOR CATS; (12) FRONTLINE TOP SPOT FOR DOGS (1-22 lbs.); (13) FRONTLINE TOP SPOT FOR DOGS (23-44 lbs.); (14) FRONTLINE TOP SPOT FOR DOGS (45-88 lbs.); (15) FRONTLINE TOP SPOT FOR DOGS (89-132 lbs.); and (16) FRONTLINE TOP SPOT FOR CATS.

52. This Order shall pertain to all quantities of the pesticides identified in Paragraph 51 within the ownership, control, or custody of Respondent, wherever such pesticides are located. The above named pesticides shall not be sold; offered for sale; held for sale; shipped; delivered for shipment; received; or, having been so received, delivered, offered for delivery, moved, or removed from the premises, for any reason except as provided in Paragraph 53.
53. Respondent shall lawfully dispose of all pesticides identified in Paragraph 51 within 45 days of receiving this Order and submit the Certification (see attachment) to the following address within 60 days of receiving this Order:

Brigit Fitting
(CMD-5)
U.S. Environmental Protection Agency, Region IX
75 Hawthorne Street
San Francisco, CA 94105
(415) 947-4203

Upon EPA's receipt of the Certification, this Order shall be terminated.

54. Respondent shall not engage in labeling, relabeling, reformulating, repackaging, sale or


distribution (except for disposal required by this Order) of all pesticides identified in Paragraph 51.

55. Violation of the terms or provisions of this Order may subject the violator to civil or criminal penalties as prescribed in Section 14 of FIFRA, 7 U.S.C. § 136l.
56. The issuance of this Order shall not be construed as a waiver by EPA of any enforcement or other authority available to EPA under FIFRA.
57. This Order shall be EFFECTIVE IMMEDIATELY upon receipt by Respondent.

DATE

2/11/04

for


Enrique Manzanilla
Director
Cross Media Division
EPA, Region IX

CERTIFICATION OF COMPLIANCE

I _____ hereby certify that I have disposed of the following unregistered pesticide products purchased or otherwise received from Pang & Son Distribution, LLC from January 1, 2001 to present:

(1) ADVANTAGE 10 FOR DOGS (1-10 lbs.); (2) ADVANTAGE 20 FOR DOGS (11-22 lbs.); (3) ADVANTAGE 55 FOR DOGS (23-55 lbs.); (4) ADVANTAGE 100 FOR DOGS (over 55 lbs.); (5) ADVANTAGE 9 FOR CATS (1-9 lbs.); (6) ADVANTAGE 18 FOR CATS (10-18 lbs.); (7) FRONTLINE PLUS FOR DOGS (11-22 lbs.); (8) FRONTLINE PLUS FOR DOGS (23-44 lbs.); (9) FRONTLINE PLUS FOR DOGS (45-88 lbs.); (10) FRONTLINE PLUS FOR DOGS (89-132 lbs.); (11) FRONTLINE PLUS FOR CATS; (12) FRONTLINE TOP SPOT FOR DOGS (1-22 lbs.); (13) FRONTLINE TOP SPOT FOR DOGS (23-44 lbs.); (14) FRONTLINE TOP SPOT FOR DOGS (45-88 lbs.); (15) FRONTLINE TOP SPOT FOR DOGS (89-132 lbs.); and (16) FRONTLINE TOP SPOT FOR CATS.

This disposal was conducted in compliance with all applicable federal, state, and local laws and regulations within 45 days of my receipt of the Stop Sale, Use or Removal Order (Docket No. SS-04-02). The table set forth below lists the name, quantity, manner of disposal, and date of disposal for the unregistered pesticide products so disposed of in compliance with this Order. For purposes of this certification, the term "disposal" does not mean any distribution, sale, offer for sale, holding for distribution, or holding for sale.

Name of Product	Quantity of Product	Manner of Disposal	Date of Disposal